UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

NORTHSHORE UNIVERSITY HEALTHSYSTEM
D/B/A NORTHSHORE HOME AND
HOSPICE SERVICES
          Employer

and   13-RC-257168

AFSCME (AMERICAN FEDERATION OF
STATE, COUNTY, & MUNICIPAL EMPLOYEES),
COUNCIL 31
          Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Order Revoking Stipulated Election Agreement and Notice of Rescheduling Hearing is denied as it raises no substantial issues warranting review,[1] and its Request for Stay of the Same is denied as moot.

JOHN F. RING,   CHAIRMAN

MARVIN E. KAPLAN,   MEMBER

WILLIAM J. EMANUEL,   MEMBER

Dated, Washington, D.C., April 23, 2020.

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[1]   On April 15, 2020, after the Request for Review was filed, the Regional Director issued a Notice Rescheduling Representation Hearing in which he rescheduled the hearing in this matter from April 20, 2020 to April 23, 2020. As the hearing is now scheduled 8 days from that Notice, we need not pass on the Employer's argument that the Regional Director's Order did not comply with Sec. 102.63 of the Board's Rules and Regulations.

The Regional Director's Order Revoking Stipulated Election Agreement specifically relied on the Covid-19 pandemic and the need "to ensure the safety of all parties and Board personnel." In denying review of that Order, we rely on *Super Valu Stores, Inc.*, 179 NLRB 469, 469 (1969) ("Implicit in the Regional Director's authority to approve consent election agreements is his authority to revoke that approval when he determines that changed circumstances, discovered prior to the counting of ballots, warrant such revocation.").

We recognize that this election involves employees of a not-for-profit corporation that provides home and hospice care and that conducting an election during the Covid-19 pandemic raises unprecedented challenges. The question of whether, when, and how an election will be held is among the issues to be resolved in the first instance at the hearing scheduled by the Regional Director and are thus not before us at this time.